GENERAL SECRETARIAT.

Orders on the Report of the Sandal Wood Committee

READ—

The marginally noted Government Orders in the matter of the grant of bonus to land-holders for the propagation and conservancy of sandal trees growing on their lands and the levy of compensation from them for the removal of such trees as interfere with the agricultural or other legitimate use of their holdings.

(1) G. O. No. R. 7699—Ft. 13-15-17, dated 25th March 1909.
(2) G. O. No. R. 974-83—Ft. 139-10-2, dated the 4th August 1911.
(3) G. O. No. R. 6226-36—Ft. 47-11-3, dated the 4th May 1912.
(4) G. O. No. R. 1811-20—Ft. 147-11-5, dated 28th September 1912.

2. Government Order No. R. 10916-18—Ft. 163-09-16, dated the 27th May 1915, modifying Rule 41A of the Land Revenue Rules regarding the disposal of lands containing sandal trees for cultivation.

3. Government Order No. R. 8145-54—Ft. 176-17-9, dated the 4th January 1919, sanctioning rules for encouraging the raising of sandal plantations.

4. Government Order No G. 14775-84—Ft. 347-27-8, dated the 11th June 1929, and subsequent orders dated the 1st and 10th August 1929, appointing a Committee to go into the question of modifying the existing rules relating to the responsibility of land-holders for the preservation of sandal trees growing on their lands, the facilities to be afforded to them for the removal of trees which hinder the legitimate use of such lands and the conditions under which lands containing sandal trees might be given out for cultivation.

5. Letter No. G. 5327-28, dated the 5th April 1930, from the Chairman of the above Committee submitting for the orders of Government a unanimous report of the Committee.

ORDER THEREON No. G. 5082-95—FT. 26-29-14, DATED 11TH NOVEMBER 1930.

Sandalwood in Mysore being a monopoly of the State, the question of its propagation and conservancy has always received the earnest consideration of Government and measures have been adopted from time to time to mitigate the hardships felt by private land-holders by the existence of sandal trees on their lands and to afford facilities for a legitimate use of their holdings in spite of the existence of sandal trees thereon. Repeated representations have, however, been made to Government for a modification of the existing rules and orders with a view to removing the difficulties that are said to exist in their practical working. Government therefore appointed a Committee consisting of the following gentlemen about the middle of last year to go into the whole question and submit detailed proposals on the subject :—

(1) Rajakarya Pravina Mr. P. G. D'Souza, B.A., B.L., Revenue Commissioner in Mysore (Chairman).
(2) Mr. B. V. Ramaiengar, B.A., Chief Conservator of Forests in Mysore.
(3) Mr. M. Machaiya, B.A., Conservator of Forests, Shimoga Circle.
(4) Mr. K. V. Anantaramen, B.A., Deputy Commissioner, Mysore District.
(5) Mr. H. V. Ramaswami, M.A., B.L., Deputy Commissioner, Kadur District.
(6) Mr. M. N. Balaraj Urs, B.A., Deputy Commissioner, Shimoga District.
(7) S. L. Mannaji Rao Kadam, Member of the Mysore Legislative Council.
(8) Mr. F. M. Abdul Khuddus, Member of the Mysore Representative Assembly.
(9) Mr. L. P. Mascarenhas, Technical Assistant to the Chief Conservator of Forests in Mysore (Secretary.)

2. The Committee considered it desirable for a proper threshing out of the various questions referred to them for enquiry to invite leading representatives from each District to lay before them the practical difficulties experienced in the working of the existing rules and orders and to suggest remedies for their removal. They accordingly selected in consultation with the Deputy Commissioners and with the approval of Government 13 gentlemen representing various interests and after discussing the questions thoroughly with them, have submitted an exhaustive report which is printed as an annexure to this order.

3. Before passing orders on the various recommendations of the Committee, Government wish to place on record their appreciation of the thorough manner in which the Committee have dealt with the questions referred to them for investigation and to convey their thanks to all the members as well as the non-official representatives who assisted in the deliberations of the Committee.

4. *Damage to Sandal Trees.*—According to Section 73 of the Mysore Forest Regulation, every occupant or holder of land is held responsible for the due preservation of all sandal trees growing thereon. He is also liable to pay compensation on account of damage caused to such trees in case he fails to report such damage and to prove that it was not caused by his own act or by neglect on his part. As this Rule is said to be working as a hardship, the Committee recommend that the person in actual possession, *i.e.*, the Anubhavadar of the land should be made primarily responsible for the damage caused to sandal trees on his land and that the Khatedar or registered occupant should be made liable for it only in case the amount of damage becomes irrecoverable from the Anubhavadar. They also recommend that the word "damage" should be so defined as to bring lopping of branches resulting in material injury to the trees under the category of damage and that the holder of the land containing such trees should be made liable to pay one-fourth or half or the full penalty prescribed according to the extent of damage done. Government consider that the reasons urged by the Committee for a change in the existing law in this behalf are sound and accordingly direct that necessary further action be taken for the amendment of Section 73 of the Forest Regulation on the lines indicated.

5. *Bonus for Sandal Trees.*—The rates of bonus now fixed for sandal trees grown in private holdings are as follows:—

Class	Girth of trees at 4 ft. above ground level	Bonus Payable
		Rs. a. p.
I	Below 12 inches	0 8 0
II	12 to 21 inches	1 8 0
III	21 to 30 inches	4 8 0
IV	30 to 36 inches	7 8 0
V	Above 36 inches	10 0 0

NOTE—A mature tree is one which is showing signs of decay. This is indicated by the following symptoms:—

(*a*) dead main branches and leading shoots,

(*b*) decay of bark, and

(*c*) pale colour and diminutive size of the leaves.

A further and infallible test is that the heart-wood must not be at a lower depth than one inch from the surface.

The Committee consider that these rates are low under present conditions and they recommend that they might be increased to thrice the present scale. But they do not propose any change in the present scale of fees for damage caused to sandal trees growing in private holdings. Government consider that, if an increase in the scale is justified in the one case, it should be equally justified in the other. Having regard to the interests of Government revenue and with a view to enlist the co-operation of the raiyat in the growth and preservation of sandal trees on his land, Government direct that the scale of fees payable now in force be doubled both in the case of bonus as well in the case of damage caused.

6. *Prompt payment of bonus.*—With a view to obviate the delay that is now occurring in the Range Offices in the disposal of applications for the removal of mature sandal trees from private holdings, the Committee recommend that an occupant might be permitted to uproot and rough-dress the trees in his land provided they have been previously stamped by the Range Officer and that the payment of bonus should be made by the Range Officer immediately he receives the wood. They also recommend that the Range Officer should be required to pay the rates in vogue for collection and carting to the party who brings the sandalwood, these rates being fixed on the basis of girth and distance. These recommendations are approved.

7. *Compensation for removal of green trees.*—The Committee recommend that, as the wood which is ordinarily got from a tree of lesser girth than 12 inches is not considerable, the occupants may be exempted from paying any compensation for the removal of such green trees when they interfere with the legitimate use of the land. This proposal is approved.

8. *Grant of lands containing Sandal Trees.*—The grant of lands containing sandal trees for cultivation is now regulated by the provisions contained in Rule 41A of the Mysore Land Revenue Rules. According to this Rule, it is not permissible to grant for cultivation lands containing a rich growth of sandal trees; but what constitutes a rich growth has not been defined. The existing Rule also permits the grant of lands containing sandal trees without the recovery of the present value of the bonus which may eventually become payable to the occupant. The Committee consider it desirable to define what is meant by rich growth in such cases and to do away with the option given to the dharkhastdar to take the land for cultivation without paying the present value of the bonus. They accordingly suggest the following modifications in the existing Rule:—

(1) When any land contains 10 or more sandal trees of over 12 inches girth per acre, it should be considered as having a rich growth of such trees and such land should be reserved and not granted for cultivation.

(2) Lands containing a lesser number of trees than that prescribed above and those containing a sprinkling of green plants may be given out for cultivation, provided that the levy of malki should be made compulsory in all cases and the present system of granting land without recovering the malki should be discontinued. Government approve of the above suggestions. The Revenue Commissioner is requested to take action for getting the Land Revenue Rules amended accordingly.

SANDAL PLANTATIONS.

9. According to the present rule, raiyats raising sandal plantations in maidan Taluks are entitled to 50 per cent of the net value of mature trees removed from such plantations, while the raiyats of malnad taluks are allowed only 25 per cent of the net value. The Committee recommend that a uniform rate of 50 per cent of the net value of trees removed might be given as bonus in both maidan and malnad parts of the State. They also suggest that a plantation should mean an area not less 5 acres in extent on which sandal is the principal crop and which contains not less than 20 trees per acre and that the concessions should be given also to lands already in occupation in which the above conditions are satisfied. Government approve of these recommendations and also direct that wide publicity be given to the modified rules on the subject.

PROMPT DISPOSAL OF SANDAL DAMAGE CASES.

10. In the concluding portion of their report, the Committee deal with the desirability of arranging for the prompt disposal of sandal damage cases. They suggest—

(1) that as soon as any damage caused to sandal trees comes to the notice of the Range Officer, he should arrange for the service of a notice on the land-holder so that the latter may have an opportunity to prove his innocence;

(2) that the Range Officer should submit the records within a week to the District Forest Officer for transmission to the Amildar with his views; and

(3) that the Amildar should pass final orders and cause the recovery of the compensation amount within 2 months of the date of receipt of records.

These proposals are approved.

REMUNERATION TO VILLAGE OFFICERS.

11. The Committee recommend that, as an incentive for the proper watch and ward of sandal trees growing on lands within their jurisdiction, the Patel and the Shanbhog should be given a remuneration equal to 5 per cent of the bonus paid to the owner for every tree removed from the village limits and that they should be required to report to the Range Officer full particulars of any dry sandal tree fit for extraction within their jurisdiction. These proposals are approved.

12. The other recommendations of the Committee not specifically dealt with above are also approved.

R. RANGA RAO,
General Secretary to Government.